

GOVERNMENT OF TELANGANA
ABSTRACT

Public Servants – RWS&S – Allegations of misuse of MP LADS in the construction of Kalabhavan at Narayanpet, Mahabubnagar - Disciplinary proceedings against Sri G.Shankaraiah, the then Superintending Engineer, PR, Mahabubnagar (now Retd.,) under Rule 20 of Telangana Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of Telangana Revised Pension Rules, 1980 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No. 523

Dated: 23-07-2018

Read:

G.O.Ms.No.43, PR&RD (Vig.I) Dept., dt.23.07.2018

ORDER:

In pursuance of the sanction accorded in the reference read above, under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of Telangana Revised Pension Rules, 1980, for instituting departmental proceedings against Sri G.Shankaraiah, the then Superintending Engineer, PR, Mahabubnagar (now Retd.,), it is proposed to hold an enquiry against Sri G.Shankaraiah, the then Superintending Engineer, PR, Mahabubnagar (now Retd.,) in accordance with the procedure laid down in Rule 20 of the Telangana Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II & III).

3. Sri G.Shankaraiah, the then Superintending Engineer, PR, Mahabubnagar (now Retd.,), is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri G.Shankaraiah, the then Superintending Engineer, PR, Mahabubnagar (now Retd.,), is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri G.Shankaraiah, the then Superintending Engineer, PR, Mahabubnagar (now Retd.,), is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Telangana Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri G.Shankaraiah, the then Superintending Engineer, PR, Mahabubnagar (now Retd.,), is invited to Rule 24 of the Telangana Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri G.Shankaraiah, the then Superintending Engineer, PR, Mahabubnagar (now Retd.,), is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Telangana Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

VIKAS RAJ

PRINCIPAL SECRETARY TO GOVERNMENT (PR&RD) (FAC)

To

Sri G.Shankaraiah, the then Superintending Engineer, PR,
Mahabubnagar (now Retd.,) through the Engineer-in-Chief, PR, Hyderabad.

P.T.O.

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The Engineer-in-Chief, PR, Hyderabad.

(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:

The Secretary to VC, TVC, Hyderabad.

The GA (V&E) Deptt.,

(Vigilance Report No.45 (191/V&E/E.III/2017), dt.03.10.2017

The PR&RD (PR.I) Deptt.,

SF/SC

//FORWARDED ::BY ORDER//

SECTION OFFICER

ANNEUXRE –I

(Annexure to G.O.Rt.No.523, PR&RD (Vig.I) Deptt., dt.23.07.2018)

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI G.SHANKARAIAH, THE THEN SUPERINTENDING ENGINEER, PR, MAHABUBNAGAR (NOW RETD.,)

CHARGE- I:

That Sri G.Shankaraiah, the then Superintending Engineer, PR, Mahabubnagar (Retired) has accorded the Technical sanction of the estimate without approved designs and drawings and Executive Engineers site inspection report as per G.O.94.

BASIS:

The V&E Department, have inspected the works and furnished detailed enquiry report vide their Report No. 45(191/V&E/E.III/2017), Dt.31.10.2017 on the allegations against the misuse of MP LADS in the construction of Kalabhavan at Narayanpet Mahabubnagar district.

The AEE has submitted the proposals for construction of Kalabhavan in favour of SP.Balu fans association at Narayanpet mandal for 15 lakhs with the detailed modal estimate of the SC Community hall with size 16¹ X 24¹ Hall and 18'x8' stage, for an amount of Rs.15.00 lakhs and the same was admin sanctioned vide proc.no.03/PLG-I/CPO/MPLADS/MP/16th LS/MBNR/2014-15, dt: 31.01.2015 of Collector and District Magistrate Mahabubnagar. Further the S.P.Balu Fans requested the Executive Engineer, PR, Narayanpet to increase the hall size of Kalabhavan to accommodate 300 students with a stage. The then Executive Engineer has not inspected the site to prepare realistic estimates as per G.O.94 even though the monitory limits are under his purview.

Further the Superintending Engineer, PR, has accorded the Technical sanction of estimate for the above work up to the roof level which was in incomplete shape ie., the technical sanction without obtaining the MP consent as per clause 3.8 and 3.9 of MP LADS guide lines. "If the estimated amount for a work is more than the amount indicated by the MP for the same, MPs further consent is necessary before the sanction is accorded, and the work should be sanctioned and executed only if the MP concerned has allocated the full estimated cost of the work in the year". In this case the estimate of Kalabhavan building was prepared only upto roof level framed structure but not for finished structure. Kalabhavan building work was completed up to plinth level at the time of inspection and verified the physical measurements of the work ie., columns, footings, gravel filling inside the basement and stone masonry with respect to the recorded measurements. The work was stopped at basement level. The Executive Engineer, PR, Narayanpet requested the Superintending Engineer, PR, Mahabubnagar and District Collector, for additional amount of Rs.25.00 lakhs to complete the building duly mentioning that the size of the Kalabhavan was increased.

Further the Executive Engineer, PR, Narayanpet has reported in the estimate for Rs.25.00 lakhs dated: 10.02.2016, that due to BC and Slushy soil and low lying area the depth of column foundation has been increased on account of which the amount has become insufficient, so as to make the building for the public usage.

The Physical measurement of the stone masonry and Gravel filling inside the Basement of the Kalabhavan building were verified with respect to the recorded measurements and were not tallied. The net recovery of amount Rs.56,737/- was calculated against the deficiencies in the measurements.

The Physical measurements of the sand filling, PCC and VRCC of the Column footing (3 nos at random) of the Kala Bhavan building were verified with respect to the recorded measurements and were not tallied. The recovery was calculated against the deficiencies in the measurements for the 3 columns. The net recovery amount for three columns is Rs.75,997 was calculated against the deficiencies in the 3 columns.

The total value of work done is Rs.12,01,723/- as per the CC 2nd & final Abstract, but payment was made to the agency through CC 1st and part bill only ie., Rs.6,30,000 after deducting necessary recoveries like tender premium (12.60% less), IT, FSD and QC (1% labour cess amount ie., Rs.13,623/- was not deducted, same may be recovered)

P.T.O.

CHARGE- II:

That Sri G.Shankaraiah, the then Superintending Engineer, PR, Mahabubnagar (Retired) has not followed the guide lines of MP LADS at the time of according the Technical sanction of the estimate (Violation of clause 3.8, 3.9).

BASIS:

The V&E Department, have inspected the works and furnished detailed enquiry report vide their Report No. 45(191/V&E/E.III/2017), Dt.31.10.2017 on the allegations against the misuse of MP LADS in the construction of Kalabhavan at Narayanpet Mahabubnagar district.

The AEE has submitted the proposals for construction of Kalabhavan in favour of SP.Balu fans association at Narayanpet Mandal for 15 lakhs with the detailed modal estimate of the SC Community hall with size 16¹ X 24¹ Hall and 18'x8' stage, for an amount of Rs.15.00 lakhs and the same was admin sanctioned vide proc.no.03/PLG-I/CPO/MPLADS/MP/16th LS/MBNR/2014-15, dt: 31.01.2015 of Collector and District Magistrate Mahabubnagar. Further the S.P.Balu Fans requested the Executive Engineer PR Narayanpet to increase the hall size of Kalabhavan to accommodate 300 students with a stage. The then Executive Engineer has not inspected the site to prepare realistic estimates as per G.O.94 even though the monitory limits are under his purview.

Further the Superintending Engineer, PR, has accorded the Technical sanction of estimate for the above work up to the roof level which was in incomplete shape ie., the technical sanction was accorded without obtaining the MP consent as per clause 3.8 and 3.9 of MP LADS guide lines. "If the estimated amount for a work is more than the amount indicated by the MP for the same, MPs further consent is necessary before the sanction is accorded, and the work should be sanctioned and executed only if the MP concerned has allocated the full estimated cost of the work in the year". In this case the estimate of Kalabhavan building was prepared is only up to roof level framed structure but not for finished structure.

The tender was invited for the above work by the Superintending Engineer, PR, Mahabubnagar vide NIT No.38/2015-16, dt: 16.06.2015, Admt.No.2, dt: 25.07.2015 of Superintending Engineer, PR, Mahabubnagar with estimated contract value of the work is Rs.13,62,321.00 based on the SSR 2014-2015, with the following provisions:

- I. Earth work excavation for foundation.
- II. Plain cement concrete (1:5:10) prop nominal mix for leveling bed.
- III. Random Rubble Stone masonry, in CM (1:6) prop for filling of foundation
- IV. Course rubble stone masonry in CM(1:6) prop for basement.
- V. Filling basement with gravel.
- VI. VRCC Corresponding M20 grade as per IS 426 equivalent to (1:1:5:3) prop for footings, columns, beams and roof slab etc., complete.
- VII. Providing impervious coat over RCC roof slab to required slopes with CM (1:3) Prop.20MM thick.
- VIII. Providing HYSD steel TMT Bars (fe 415 grade as per IS 1786-1985) of 8MM to 40MM dia for RCC items.

These provisions are meant only up to roof slab construction and there were no provisions for Brick-work, plastering, Doors-windows, Plumbing work and Electrification etc., in the above estimate, without executing these provisions the building cannot be functional, and the purpose cannot be served as requested by SP Balu fans to Hon'ble Member of Parliament.

Kalabhavan building work was completed up to plinth level at the time of inspection and verified the physical measurements of the work ie., columns, footings, gravel filling inside the basement and stone masonry with respect to the recorded measurements. The work was stopped at basement level.

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Thus, Sri G.Shankaraiah, the then Superintending Engineer, PR, Mahabubnagar (now retired) has failed to discharge his legitimate duties properly by violating the guide lines detailed in clause 3.8, 3.9 of MP LADS.

Thus his action is in violation of Rule (3) of TCS (Conduct) Rules, 1964.

Hence the charge.

VIKAS RAJ
PRINCIPAL SECRETARY TO GOVERNMENT (PR&RD) (FAC)

SECTION OFFICER

ANNEXURE II

(Annexure to G.O.Rt.No.523 , PR&RD (Vig.I) Deptt., dt.23.07.2018)

**LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES ARE PROPOSED
AGAINST SRI G.SHANKARAIAH, THE THEN SUPERINTENDING ENGINEER, PR,
MAHABUBNAGAR (NOW RETD.,) TO BE SUSTAINED.**

Vig & Enforcement Report No. 45 (191/V&E/EIII/2017), dt:31-10-2017.

VIKAS RAJ
PRINCIPAL SECRETARY TO GOVERNMENT (PR&RD) (FAC)

SECTION OFFICER

ANNEXURE III

(Annexure to G.O.Rt.No.523 , PR&RD (Vig.I) Deptt., dt.23.07.2018)

**LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES ARE PROPOSED
AGAINST SRI G.SHANKARAIAH, THE THEN SUPERINTENDING ENGINEER, PR,
MAHABUBNAGAR (NOW RETD.,) TO BE SUSTAINED.**

-NIL-

VIKAS RAJ
PRINCIPAL SECRETARY TO GOVERNMENT (PR&RD) (FAC)

SECTION OFFICER